

BRONSTEIN, GEWIRTZ & GROSSMAN, LLC  
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- and -

DAVID ROSTAN, ESQ.  
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Attorneys for defendant/third party plaintiff  
JESUS J. PALMERONI

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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N.V.E., INC., : Civil Action No.:  
2:06-CV-05455 (HAA) (ES)  
Plaintiff, :  
- v. - : **MOTION DATE:**  
**June 11, 2010**  
JESUS J. PALMERONI, a/k/a Joseph :  
Palmeroni, RONALD SUMICEK, SUNBELT :  
MARKETING, ABC CORPORATIONS 1-10 :  
and JOHN DOES 1-10, : **ORAL ARGUMENT REQUESTED**  
Defendants. :  
-----X  
JESUS J. PALMERONI, : **NOTICE OF**  
**MOTION TO QUASH AND**  
**FOR PROTECTIVE ORDER**  
Third-party plaintiff, :  
- v. - :  
ROBERT OCCHIFINTO and WALTER :  
ORCUTT, :  
Third-party defendants. :  
-----X

**PLEASE TAKE NOTICE** that on June 11, 2010, at 1:00 p.m. in the afternoon of that day or as soon thereafter as counsel may be heard, pursuant to the Order of Hon. Esther Salas, U.S.M.J. dated April 26, 2010, defendant JESUS JOSEPH PALMERONI and non-party witness NATIONAL RETAIL CONSULTING GROUP, INC., by and through their attorneys, Bronstein, Gewirtz & Grossman, LLC, will move this Court at the Martin Luther King, Jr. Federal Building and Court House, 50 Walnut Street, Newark, New Jersey 07102, for an Order:

(1) quashing the subpoenas served on LAKELAND BANK seeking records of any and all accounts maintained there by NATIONAL RETAIL CONSULTING GROUP, INC. pursuant to Fed. R. Civ. Proc. 45(c), and

(2) entering an order directing that certain discovery requested by the plaintiff not be had or, in the alternative, limiting the scope of such discovery and directing the manner in which it shall be provided, pursuant to Fed. R. Civ. Proc. 26(c), and

(3) granting such other and further relief as this Court may deem appropriate.

**PLEASE TAKE FURTHER NOTICE** that movant relies upon the accompanying Memorandum of Law, Declaration of Joseph Palmeroni

and Declaration of Neil Grossman, together with the exhibits annexed thereto. A proposed form of Order is submitted herewith.

BRONSTEIN, GEWIRTZ & GROSSMAN, LLC  
*Attorneys for defendant Jesus  
Joseph Palmeroni*

Dated: April 30, 2010

By: s/ Neil Grossman  
Neil Grossman

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2010, I served the foregoing Notice of Motion, together with supporting memorandum of law, two supporting declarations and a proposed form of Order, upon all parties of record appearing in this action by electronic means, by filing such documents with this Court via its Electronic Filing System.

Dated: April 30, 2010

s/ Neil Grossman  
NEIL GROSSMAN